

In The United States District Court
For The Eastern District Of Pennsylvania

United States Of America.

v.

RECEIVED
Criminal No. 11-633
19-9942

Phillip Eric Weems

Order

And now, this day of 2013,
upon consideration of Defendants' Motion To
Dismiss, it is hereby Ordered that said Motion
is Granted.

By The Court.

J.

In The United States District Court
For The Eastern District Of Pennsylvania

United States Of America.

v

Criminal No. 11-633

Phillip Eric Weems

Motion To Dismiss

To The Honorable Judge Juan R. Sanchez:

And now comes Defendant Phillip Eric Weems who moves this Court pursuant to Fed. R. Crim. P. 12(b)(3)(B) to dismiss Count a of the Information with prejudice for lack of the required interstate jurisdictional element that makes the offense a federal crime under 18 USC § 513(a) and represents:

i. That the counterfeit checks mentioned in Count a of the Information were securities of nonexistent shell companies that were not operating in or affecting interstate or foreign commerce therefore the United States Of America has

failed to state a federal crime under
18 USC § 513(a) because the fictitious entities
mentioned in Count a of the Information
were not organizations that fall within the
scope of the meaning under 18 USC § 513(c)(4)

Wherefore, Defendant respectfully
requests this Court to dismiss Count a of the
Information with prejudice.

Respectfully Submitted,

Phillip Weems

Phillip Weems, Reg. #67841-066

Federal Detention Center - Phila

P.O. Box 562

Philadelphia, PA 19105

Date: 7/17/13

Certificate Of Service

I, Phillip Eric Weems hereby certify under the penalties of perjury that a copy of the foregoing Motion To Dismiss has been served via US 1st Class Mail upon the parties listed below:

Clerk Of Court
601 Market Street
Philadelphia, PA 19106

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United States Attorney's Office
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Philadelphia, PA 19107

Respectfully Submitted,

Date: 7/17/13 Phillip Weems
Phillip Weems, Reg. # 67841-066